

## State Water Resources Control Board

June 19, 2018

(Via email and Certified Mail)  
**CERTIFIED MAIL**  
**NO. 7017 2680 0000 6289 4688**

Mr. Mal Donohue  
Environmental Health and Safety Director  
University of California, Merced  
Facilities Services, Building B  
5200 North Lake Road  
Merced, California 95343  
[mdonohue@ucmerced.edu](mailto:mdonohue@ucmerced.edu)

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEM  
LOCATED AT UNIVERSITY OF CALIFORNIA, MERCED, 5200 NORTH LAKE  
ROAD, MERCED**

Dear Mr. Donohue:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the UST at your facility on June 6, 2018, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	<b>Failure to Maintain Plot Plan/Site Map</b> – The map onsite at the time of inspection does not indicate the location of the product piping.	Diesel	June 6, 2018	Ongoing	23 CCR 2711(a)(8)
2	<b>Failure to Monitor Product Piping</b> – The sensor located in turbine sump three was not located below the product line, preventing it from detecting a leak at the earliest opportunity.	Diesel	June 6, 2018	June 6, 2018	23 CCR 2630(d)

**You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Merced County Environmental Health within sixty (60) days from the date of this letter. Have your designated operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.**

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR



**As of October 13, 2018, federal and state regulations will require all underground-pressurized emergency generator tank systems be equipped with a line leak detector. In lieu of restricting or shutting off the flow of product through the piping, the automatic line leak detector may activate an audible and visual alarm when a leak is detected.**

Please send all compliance documentation to the following:

**State Water Board**

Mr. Douglas McDevitt  
UST Enforcement Unit  
Office of Enforcement  
State Water Resources Control Board  
801 K Street, Suite 2300  
Sacramento, California 95814  
[douglas.mcdevitt@waterboards.ca.gov](mailto:douglas.mcdevitt@waterboards.ca.gov)

**Local CUPA**

Ms. Vicki Jones  
Supervising Environmental Health Specialist  
Merced County Environmental Health  
260 East 15<sup>th</sup> Street  
Merced, California 95341  
[vjones@co.merced.ca.us](mailto:vjones@co.merced.ca.us)

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at [amantha.henkel@waterboards.ca.gov](mailto:amantha.henkel@waterboards.ca.gov).

Sincerely,



Amantha Henkel  
Senior Environmental Scientist  
UST Enforcement Unit  
**Office of Enforcement**

cc: *(via email only)*

Ms. Vicki Jones  
Supervising Environmental Health Specialist  
Merced County Environmental Health  
[vjones@co.merced.ca.us](mailto:vjones@co.merced.ca.us)

